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FEB 21 2006

JANAH & ASSOCIATES, PC
650 Delancey Street, Suite 106
San Francisco, California 94107 U.S.A.

VIA FACSIMILE

ATTENTION: Examiner Webman
FIRM/CO. NAME: U.S. Patent and Trademark Office
FAX NO: 571-273-8300
ART/UNIT NO: 1616
FROM: Ashok K. Janah
DATE: February 21, 2006
APPLICATION NO: 10/616,448
OUR REFERENCE NO: NK.103.11.US

TOTAL NUMBER OF PAGES 6 (INCLUDING COVER PAGE)

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL Ashok

BUSINESS PHONE: (415) 538-1555 FACSIMILE NO.: (415) 538-8380

MESSAGE:

Examiner Webman,

Attached please find a response to the outstanding office action dated
December 21st, 2005.

Kind regards,

Ashok Janah

CONFIDENTIALITY NOTICE: The documents accompanying this facsimile transmission contain privileged and confidential information. Do not disclose or discuss this information with anyone other than those identified above. Unauthorized disclosure is strictly prohibited. If you receive this facsimile in error, please notify us by telephone immediately.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Weers et al. Application No: 10/616,448 Confirmation No: 1036 Filed: February 5, 2004 Title: Phospholipid Based Powders for Inhalation	Group No: 1616 Examiner: WEBMAN, Edward J. Attorney Docket No: NK.103.11 Tuesday, February 21, 2006 San Francisco, CA 94107	RECEIVED CENTRAL FAX CENTER FEB 21 2006
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Commissioner for Patents VIA FACSIMILE: (571) 273-8300	Extension of Time <input type="checkbox"/> Applicant petitions for an extension of time under 37 C.F.R. 1.136		
Papers Enclosed	Extension (Months)	Extension Fee	
<input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Declaration <input type="checkbox"/> 0 Drawings <input type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> PTO-1449 Form <input type="checkbox"/> Citations <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Postcard for Return		Large Entity	Small Entity
	<input type="checkbox"/> One Month	\$120.00	\$60.00
	<input type="checkbox"/> Two Months	\$450.00	\$225.00
	<input type="checkbox"/> Three Months	\$1,020.00	\$510.00
	Total \$ 0.00		
	<input type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made in case applicant has inadvertently overlooked the need for a petition for extension of time.		

Fees for Extra Claims						
	Claims remaining after amendment	Highest number previously paid for	Number Extra	Rate		Additional Fee
				Large Entity	Small Entity	
Total Claims	9	20	0	\$50.00	\$25.00	\$0.00
Independent Claims	1	3	0	\$200.00	\$100.00	\$0.00
Multiple Dependent Claims			0	\$360.00	\$180.00	\$0.00
Supplemental Information Disclosure Statement						
Total						\$0.00

Fee Payment		Fee Deficiency	
Extension Fees	\$0.00	<input checked="" type="checkbox"/> If any additional extension and/or fee is required, please charge Deposit Account No. <u>10-0258</u> .	
Fees for Extra Claims	\$0.00	and/or	
Total	\$0.00	<input checked="" type="checkbox"/> If any additional fee for claims is required, please charge Deposit Account No. <u>10-0258</u> .	
<input type="checkbox"/> Attached is check no. _____ in the sum of \$0.00. <input type="checkbox"/> Please charge Deposit Account No. <u>10-0258</u> in the sum of \$0.00.		Please direct telephone calls to: Ashok K. Janah at (415) 538-1555 Please continue to send correspondence to: Applied Materials, Inc. Patent Department, M/S 2061 P.O. Box 450A Santa Clara, CA 95052	
CERTIFICATE OF TRANSMISSION (37 C.F.R. § 1.8a): I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on the date shown below. By: <u>Ashok Janah</u> Date: <u>2/21/2006</u>		Respectfully Submitted, By: <u>Ashok K. Janah</u> Date: <u>2/21/2006</u> Registration No. <u>27,487</u>	

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CENTRAL FAX CENTER**FEB 21 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Weers et al.	Group Art Unit: 1616
Application No: 10/616,448	Examiner: Webman, Edward J.
Confirmation No: 1036	Attorney Docket No: 0103.11
Filed: July 8 th , 2003	
Title: Phospholipid Based Powders for Inhalation	February 21, 2006 San Francisco, California

AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VIA FACSIMILE
(571) 273-8300

Examiner Webman:

This communication is in response to the Office Action mailed on December 21, 2006, and is being filed within two months thereof.

Certificate of Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on the date shown below.

By: 

Ashok Janah

Date: February 21, 2006